

CORROBORATING EVIDENCE – Evidence supplementary to that already given and tending to strengthen or confirm it. Additional evidence of a different character to the same point. see COLLATERAL EVIDENCE and COLLATERAL EVIDENCE (CADASTRAL SURVEY).

COUNTRY ROCK – The rock beyond the walls of a lode. The strata between or across which the lode is found.

COURSE – In surveying; the direction of a line with reference to a meridian; also, the direction of flow of the water in a stream. See BEARING.

COURTHOUSE-SITE RESERVE – A reservation of public lands in Alaska in territorial days for use as a Territorial Courthouse site.

COURTS OF CHANCERY – See COURTS OF EQUITY.

COURTS OF EQUITY – Courts which administer justice according to the system of equity, and according to the rules, principles and procedures of chancery; as distinguished from a court having the jurisdiction, rules, principles and practice of the common law. The terms “*chancery*” and “*equity*” and “*court of chancery*” and “*court of equity*” are used as synonymous in the United States, probably because the jurisdiction exercised by courts of equity is similar to that of the English chancery courts. In some States, courts called chancery courts possess general equity powers.

CROSSCUT – Something that cuts across or through. Specifically: a mine working driven horizontally and at right angles to an adit, drift or level.

CROSSING CLOSING CORNER – A term used to describe a corner set where a township or section line intersects (crosses) the line of a surveyed mineral claim, forest claim or the like. Crossing closing corner monuments are usually not set at these intersections unless such corners are required to provide an interval of monumentation of at least one-half mile. In instances where they may be required for operational or litigation purposes they will be provided for in the Special Instructions.

CURATIVE PATENT – See PATENT, CURATIVE.

CURTESY – The right which a husband has in his wife’s estate at her death. The state to which by common law a man is entitled, on the death of his wife, in the lands or tenements of which she is seised in possession in fee-simple or in tail during her coverture, provided they have had lawful issue born alive which might be capable of inheriting the estate. It is a freehold estate for the term of his natural life. See DOWER.

CUT – In mining, a surface opening in the ground intersecting a vein. See CUT*.

D

D (Land Status Records) – Director.

DC – District of Columbia.

DC (Land Status Records) – Donation claim. See DONATION LAND CLAIM.

D/C (Land Status Records) – Ditches and/or Canal.

DDB – Directives Digest Bulletin.

DE – Delaware.

DED (Land Status Records) – Dedication.

DEF (Land Status Records) – Deficiency.

DEP – Department (of a traverse).

DEPT OF AGRI (Land Status Records) – Department of Agriculture.

DEPT OF INT (Land Status Records) – Department of the Interior.

DES (Land Status Records) – Designated or Designation.

DET (Land Status Records) – Determination.

DI-10 – A brand name of electronic measurement equipment.

DLC – Donation land Claim.

DLE (Land Status Records) – Desert Land Entry.

DM (Land Status Records) – District Manager.

DMD – Double meridian distance.

DOC (Land Status Records) – Document.

DPD – Double parallel distance.

DSC – Denver Service Center.

DANGER ZONE – In regard to the rectangular limits of township boundaries, the “*danger zone*” is placed at theoretical bearings exceeding 14 minutes of arc from cardinal. In respect to lengths of lines, the “*danger zone*” occurs when adjustments exceed 33 links per mile, as defined in Manual of Surveying Instructions.

DATUM – In ordinary survey usage, a defined reference for survey measurements. The plural form is datums. See GEODETIC DATUM, TIDAL DATUM, NORTH AMERICAN DATUM OF 1927*, MEAN SEA LEVEL, LEVEL DATUM*.

DECISION – a decision is the reduction to writing of the adjudicative process. A decision orders the disposition of a case in a certain way, and contains a statement of the facts, laws and reasoning which require that disposition.

DECLINATION – An angle of difference. See ASTRONOMIC DECLINATION, MAGNETIC DECLINATION, VARIATION.

DECLINATION, ASTRONOMIC – The angular distance of a celestial body north or south of the celestial equator. Astronomic declination on the celestial sphere corresponds with latitude on the earth. It is noted as positive (+) when north and negative (-) when south of the celestial equator.

DEED – A document which transfers title to real property. In those instances where a complicated metes and bounds description is the only description available, a deed may be used to transfer fee simple interest in public lands. A patent would be issued under normal conditions where a cadastral survey plat shows a description by legal subdivisions. See PATENT, WARRANTY, BARGAIN AND SALE, QUITCLAIM DEED, and DESCRIPTION BY LEGAL SUBDIVISIONS.

DEFENDANT – The person defending or denying; the party against whom relief or recovery is sought in an action or suit. See PLAINTIFF.

DEFICIENCY – The amount by which a boundary is less than the nominal amount which is usually 80 chains.

DEFLECTION ANGLE – The angular difference from a straight line at an angle point in a traverse.

DE MINIMIS NON CURAT LEX – The law does not care for, or take notice of, very small or trifling matters; the law does not concern itself about trifles. a surveyor's return of 29 inches length for a location monument should be considered a trifling difference. See also RULE OF APPROXIMATION.

DEMUR – To take exception. To make an objection. To present a demurrer. See DEMURRER.

DEMURRER – An answer to a legal action that assumes the truth of the matter alleged by the opposite party. It then sets up the defense that the complaint is insufficient in law to sustain his claim or that there is some other defect constituting a legal reason why the opposing party should not be allowed to proceed further. Also, one who demurs.

DEPARTURE*.

DEPENDENT RESURVEY – A retracement and reestablishment of the lines of the original survey in their true original positions according to the best available evidence of the positions of the original corners. It includes the restoration of lost corners in accordance with procedures described in the Manual of Surveying Instructions. See RESURVEY, INDEPENDENT RESURVEY, RETRACEMENT, and RESTORATION.

DEPOSIT – In mining, a quantity of mineral substances occurring naturally in the earth; as, a deposit of gold, oil, etc.

DEPOSIT SURVEY – A cadastral survey made under certain public land laws which allow or require that the claimant make a deposit of money in the estimated amount of the cost of the survey.

DEPOSITION – The testimony of a witness taken under oath and reduced to writing, authenticated, and intended to be used upon the trial of an action in court. A written declaration under oath, made upon notice to the adverse party for the purpose on enabling him to attend and cross-examine; or upon written interrogatories. It is the giving of notice to the adverse party which especially distinguishes a deposition from an affidavit. See AFFIDAVIT, INTERROGATORIES.

DEPUTY SURVEYOR – A surveyor who entered into a contract to survey a portion of the public lands under the system in existence prior to 1910 was commissioned by the Surveyor General as his deputy. See CONTRACT SYSTEM.

DERELICTION – Same as Reliction.

DESCRIPTION – See CORNER DESCRIPTION, LEGAL DESCRIPTION.

DESCRIPTION BY LEGAL SUBDIVISION – Definition of a unit or units of land with reference to the rectangular system; for example, Lot 3 and SE $\frac{1}{4}$ NW $\frac{1}{4}$ sec. 6, T. 8 N., R. 20 W., 5th Prin. Mer., Arkansas.

DESERT-LAND APPLICATION, STATE – An application filed by a State for a grant of desert land for the purpose of disposal to bona fide settlers. See CAREY ACTS.

DESERT LAND ENTRY – An entry of irrigable arid agricultural public lands, under the terms of the Act of March 3, 1877, as amended, for the purpose of reclamation, irrigation and cultivation in part.

DESERT-LAND SEGREGATION, STATE – Arid public lands which have been selected by a State under the Carey Acts and which are set aside pending completion under State direction of an irrigation system to reclaim the lands.

DIAGRAM, TOWNSHIP OR SECTION – A standardized drawing of a township or of a section which shows the major legal subdivisions.

DICTA – Opinions of a judge which are beside the point of a case at issue before the court. See OBITER DICTUM.

DICTIONARY – A remark by the way. Generally, the word “*dictum*” is used as an abbreviated form of “*Obiter dictum*.” See OBITER DICTUM.

DIKE – 1) (noun) An embankment or barrier constructed to hold water out of a low-lying area, or to hold water within an area. 2) (verb) To surround, protect, or enclose with such an embankment. 3) (in geology) A sheet like intrusion of magma forced upward through fissures in the earth’s crust and hardened to a tabular mass of igneous rock. A volcanic dike may vary from a few inches to hundreds of feet in horizontal thickness. See LEVEE, GROIN.

DIRECT – 1) a transit observation on the sun used for computing bearing as opposed to use of the solar instrument. 2) The normal position of the transit’s telescope. See DIRECT TIE, DIRECT MEASUREMENT, DIRECT ANGLES*.

DIRECT MEASUREMENT – Determination of a distance by physical comparison or accumulation of distance using a device calibrated in some unit of measure. See INDIRECT MEASUREMENT.

DIRECT TIE – A connection to another survey point by physical measurement. See DIRECT MEASUREMENT.

DIRECTOR – The present title of the official who is head of the Bureau of Land Management. Functions formerly assigned to the Commissioner of the General Land Office and to the Director of the Grazing Service are a part of this official’s responsibility.

DIRECT SYSTEM – The Interior Department appropriation Act of 1911 (June 25, 1910, 36 Stat. 703, 740), provided, under “*Surveying the Public Lands*”; “*The surveys and resurveys to be made by such competent surveyors as the Secretary of the Interior may select, ...*” This provision ended the practice of letting contracts for the surveys of the public lands, and required the “*direct*” hiring of a permanent corps of cadastral surveyors. See CONTRACT SYSTEM.

DIRTY SHEET – A slang term for a sketch showing the current progress and details of the field work of a cadastral survey.

DISCOVERY – In mining law, as the basis of the right to locate a mining claim upon the public domain, discovery means the finding of mineralized rock in place. Also, the physical exposure of the mineral vein or lode or other mineral deposit on the ground. See VEIN, DISCOVERY, and POINT OF DISCOVERY.

DISPOSAL, LAND – A transaction which leads to the transfer of title to public lands from the Federal Government.

DISPOSITION – A transaction which leads to the transfer of public lands, and/or resources in these lands from the Federal Government.

DISTANCE, PARENTHETICAL – See PARENTHETICAL DISTANCE.

DISTORTION – A greater than usual change in bearings and distances of the original survey which is reflected by a retracement or resurvey.

DISTRICT (BLM) – The primary administrative division of a State Director’s geographic area of responsibility. A geographic area composed of at least two (typically three or four) resource areas under the supervision of a District Manager. See DISTRICT MANAGER AND RESOURCE AREA.

DISTRICT MANAGER (BLM) – The principal Bureau official at the district level. He is directly accountable to the State Director. See STATE DIRECTOR.

DISTRICT OFFICES (BLM) – The States and cities in which BLM district offices are currently (1973) located are as follows:

Alaska – Anchorage and Fairbanks.

Arizona – Phoenix and Safford.

California – Bakersfield, Folsom, Redding, Riverside, Susanville and Ukiah.

Colorado – Canon City, Craig, Glenwood Springs, Grand Junction and Montrose.

Idaho – Boise, Burley, Coeur d’Alene, Idaho Falls, Salmon and Shoshone.

Montana – Billings, Dillon, Lewiston, Malta, Miles City and Missoula.

Nevada – Battle Mountain, Carson City, Elko, Ely, Las Vegas and Winnemucca.

New Mexico – Albuquerque, Las Cruces, Roswell and Socorro.

Oregon – Baker, Burns, Coos Bay, Eugene, Lakeview, Medford, Prineville, Roseburg, Salem and Vale.

Utah – Cedar City, Fillmore, Kanab, Monticello, Price, Richfield, St. George, Salt Lake City and Vernal.

Washington – Spokane (Administered through Oregon State Office).

Wyoming – Casper, Lander, Pinedale, Rawlins, Rock Springs and Worland.

See SPECIAL OFFICES (BLM), STATE OFFICES (BLM), LAND OFFICES (BLM), DISTRICT (BLM), DISTRICT MANAGER (BLM).

DITCHES AND/OR CANALS – Used to indicate a reservation to the United States of a right, or an easement for the construction and maintenance of ditches or canals, as stated in a particular patent.

DIURNAL – Daily. Usually used in reference to a natural phenomenon which occurs only once in a given day.

DIVEST – To deprive; take away or withdraw. Usually spoken of in reference to depriving or dispossessing one of property, title or authority.

DIVIDE – A ridge or area of elevated land between two basins or valleys. See CONTINENTAL DIVIDE, HYDROGRAPHIC DIVIDE and RIDGE TOP.

DIVISION LINE BETWEEN A BOG AND AN UPLAND AREA – The line where the area occupied by a shallow, virtually undrained bog area meets mineral soil, which lies above ordinary high water. If upland vegetation is present, the inference will be that it has been an upland site for the period equal to the age of the vegetation. See BOG and UPLANDS.

DIVISION LINE BETWEEN A MEANDERABLE BODY OF WATER AND A SWAMP – The line where the area occupied by the water for the greater part of each average year meets the area where the types of vegetation occur which may normally be found only within the swamp zone. For example, while certain varieties of trees are found only in upland situation, other varieties and other types of vegetation may be found only within the zone of the swamp. All such vegetation normally ends at the margin of permanent water. See SWAMP.

DIVISION LINE BETWEEN A SWAMP AND AN UPLAND AREA – The line where an area lying above the ordinary high water elevation meets an area of low, wet land of such character that without the construction of artificial reclamation methods it would be wet and unfit for agriculture. See SWAMP, MARSH, BOG, SALT MARSH, SWAMP AND OVERFLOWED LANDS, and UPLANDS.

DOCUMENT – 1) An instrument on which is recorded, by means of letters, figures, marks or symbols, information which may be relied upon as the basis, proof or support of something. A deed, agreement, title paper, letter or other written instrument used to prove a fact. 2) To furnish written evidence. To provide with factual or substantial support for statements made or a hypothesis proposed; especially, to equip with exact references too authoritative supporting information.

DOMESDAY-BOOK (Sometimes Domesday-Book) – A record of a survey of English lands made by order of William the Conqueror. It was begun in 1081 and finished in 1086. It is a description of the land, with the names of the owners, and the nature and extent of their holdings. It was, in effect, a cadastral survey.

DONATION – The voluntary conveyance of private property to public ownership and/or use, without compensation to the owner.

DONATION ACT OF SEPTEMBER 27, 1850 – Provided for grants of 320 acres to all White American citizens or those who intended to become citizens and who had resided in Oregon Territory and cultivated the land 4 years; wives to have an additional 320 acres. All white male citizens or intended citizens who emigrated there between Dec. 1, 1850 & Dec. 1, 1853, and who met the other requirements, were to have 160 acres or 320 acres, depending on their marital status. See DONATION LAND CLAIM.

DONATION LAND CLAIM – The land, 320 or 640 acres, that was allocated to an Oregon settler under the Donation Act of September 27, 1850. See DONATION ACT OF SEPTEMBER 27, 1850, ACT OF AUGUST 4, 1842, ACT OF JULY 22, 1854, and DONATION LANDS.

DONATION LANDS – Lands granted from the public domain to an individual or, as in the case of lands donated or granted to railroads as an incentive for construction, to corporations. See also DONATION.

DOUBLE CENTERING*.

DOUBLE CORNER – Normally the two sets of corners along a standard parallel; the standard township, section, and quarter-section corners placed at regular intervals of measurement; additionally, the closing corners established on the line at the points of intersection of the guide meridians, range and section lines of the surveys brought in from the south. In other cases, not fully in conformity with the rectangular plan, two corners, each common to two townships only, instead of one corner of the four townships. Similarly, two corners, each common to two sections; and two quarter-section corners, each referring to one section only. The term is sometimes used incorrectly to denote two lines established on the ground although the field-note record indicates only one line, thus creating a hiatus or overlap.

DOUBLE MERIDIAN DISTANCE – 1) The sum of the distances from the end points of a line to an arbitrary reference north-south line used for area computations. Sometimes considered as twice the distance from the midpoint of a line, which is mathematically equivalent. 2) The method of computing areas using DMDs or DPDs.

DOUBLE PARALLEL DISTANCE – The sum of the distances from the end points of a line to an arbitrary east-west line used for checking area computations by the DMD method.

DOUBLE PROPORTIONATE MEASUREMENT (Also called “4-Way” proportion) – A method of restoring a lost corner of four townships or four interior sections. It gives concordant relation between all parts of the times. The new values given to the several parts, as determined by remeasurement shall bear the same relation to the record lengths as the new measurement of the whole line bears to that record. In cases of distorted lines subject to double proportion, measurements are comparable only when reduced to their equivalent latitudes and departures. See SINGLE PROPORTIONATE MEASUREMENT and PROPORTIONATE MEASUREMENT.

DOWER – The portion of, or interest in, the real estate of a deceased husband which the law gives to his widow for life. The extent varies with statutory provisions. See CURTESY.

DRAINAGE ENTRY – An entry, not exceeding 160 acres, on public lands. Under Federal statutory authority, a non-Federal tax, or drainage charge, is levied against such lands to defray the costs of draining swamp and overflowed lands. Also Drainage Homestead Entry.

DRIFT – In mining, an underground passage driven horizontally along the course of a mineralized vein or approximately so. See SHAFT, TUNNEL, ADIT, CROSSCUT, DRIFT*.

DUE – Directly or exactly; in a cardinal direction with the usual precision of that survey.

E

E (Land Status Records) – East.

EC STATION – 1) Extended control station*. 2) Electronic control station.

EDM – Electronic Distance Measurement.

EDP – Electronic Data Processing.

EFF (Land Status Records) – Effective.

E.G. – An abbreviation of “*exempli gratia*,” which means: For the sake of an example.

EHE (Land Status Records) – Enlarged homestead entry.

ELIM (Land Status Records) – Elimination.

ENLGMT (Land Status Records) – Enlargement.

EO (Land Status Records) – Executive Order.

ES (Land Status Records) – Exchange survey.

ESLO – Eastern States Land Office. The Eastern States Land Office is in Silver Springs, Maryland. (Now designated Eastern States Office, ESO).

ESMT (Land Status Records) – Easement.

ET AL – An abbreviation of *et alii*, “*and others*,” or *et alius*, “*and another*.”

ETC. – The common abbreviation for “*et cetera*.” And others; and other things; and others of like character; and others of like kind; and the rest; and so on; and so forth.

ET CON. – An abbreviation meaning “*and husband*.”

ET SEQ. – An abbreviation for *et sequentes* or *et sequentia*, “*and the following*.” A reference to *p. 3 et seq.* means “*page number 3 and the following pages*.” It is also abbreviated “*et sqq.*,” in some works, when the reference is to more than one following page.

ET UX. – An abbreviation for *et uxor*, “*and his wife*.”

EXCL (Land Status Records) – Excluding, excluded.

EXP (Land Status Records) – Expire(d).

EX REL – (See word listing below).

EXT (Land Status Records) – Extended, extension, extend.

EASEMENT – An interest or right in land owned by another that entitles its holder to a specific limited use; such as laying a sewer, crossing over property or putting up power lines.

EGRESS – A right to go upon the land of another. Often used interchangeably with the word “*access*.” See ACCESS, INGRESS, ENGRESS and REGRESS.

ELDER SURVEY – See SURVEY, ELDER.

ELECTRONIC CONTROL SURVEY – A survey, using theodolites and electronic equipment, whereby a control network is established and monumented to facilitate the placement of the rectangular survey grid. See ELECTRONIC DISTANCE MEASUREMENT*.

ELLCOTT’S LINE – The meridian northward from the point of beginning of the first United States cadastral survey – a point established on August 20, 1785 on the north bank of the Ohio River – was named for Andrew Ellicott, and is known as Ellicott’s Line. It is also the Ohio-Pennsylvania boundary line.

ELLCOTT’S LINE OF DEMARCATION – Andrew Ellicott was appointed by President George Washington to work with Spanish surveyors in running and marking the boundary between Mississippi Territory and Spanish Florida as determined by the treaty dated Oct. 27, 1795. This boundary along the 31st parallel of north latitude is called Ellicott’s Line of Demarcation.

ELONGATED SECTION – A section which exceeds 85 chains in either length or width as originally surveyed and platted.

EMINENT DOMAIN – The right of governmental agencies to take private property for public use.